

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT COURT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

MAXCENE SPENCE

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CIVIL ACTION

No. 16-05696

REPORT OF RULE 26(f) MEETING

Under Federal Rule of Civil Procedure 26(f), this Court's February 14, 2017 Order and this Court's Policies, counsel for the parties conferred on February 21, 2017, and submit the following report of their meeting for the Court's consideration at the initial pretrial conference on March 1, 2017.

1. Discussion of Specific Claims, Defenses and Relevant Issues

This is an action in enforced collections based upon default in payment of a student loan. On November 28, 1983, the Defendant executed a promissory note in the amount of \$2,500, guaranteed by the Pennsylvania Higher Education Assistance Agency, and then reinsured by the United States Department of Education. The Defendant has defaulted on the loan as of January 15, 1985. Since the default, payment in the amount of \$50.00 has been credited. The amount due and owing as of the present is \$8,216.86.

Per her Answer, Defendant claims Disability as a defense – that she can receive a Total and Permanent Disability discharge. Defendant claims that a payment of \$100.00 was made towards the loan and that funds from a tax return were applied to the loan.

2. Stipulated Facts

The parties have stipulated to the following facts:

Defendant made a student loan.

3. Informal Disclosures

Plaintiff made its initial disclosure pursuant to Fed.R.Civ.P. 26(a) on February 15, 2017.

Defendant has not made any disclosures.

4. Formal Discovery

The parties shall engage in and complete formal written discovery, i.e., interrogatories, request for production of documents and/or request for admissions, on or before April 30, 2017.

Depositions shall be completed by May 31, 2017.

5. Electronic Discovery

The parties do not anticipate any electronic discovery being undertaken.

6. Expert Witness Disclosures

The parties do not anticipate the use of expert witnesses.

7. Settlement or Resolution

The parties agree to participate in settlement discussions with the Magistrate Judge. Mediation is appropriate anytime after the initial pre-trial conference scheduled for March 1, 2017.

8. Trial

None.


9. Referral to Magistrate Judge

Plaintiff and Defendant agree to referral of this case to U.S. Magistrate Judge Heffley for trial.

10. Other Matters

Plaintiff anticipates filing of a Motion for Summary Judgment pursuant to Fed.R.Civ.P. 56 after completion of any discovery and before June 30, 2017.

Date: 2/23/17



Rebecca A. Solarz, Esquire

Date: 2-23-17



MAXCENE SPENCE, Defendant
Pro se